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INTELLECTUAL PROPERTY LAW SECTION PRESENTS

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INTELLECTUAL PROPERTY *for* IN-HOUSE COUNSEL

MAY 28, 2008

**The Beverly Hills Hotel
and Bungalows**

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and .75 hours of Bias*

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Program Schedule

8:00am-9:00am

Registration and Continental Breakfast

8:45am-9:00am

Welcome and Opening Remarks

9:00am-10:00am
Panel One

*Utilizing Joint Defense Counsel; Is it Cost Effective?
Sharing the Pain or Increasing the Burden?*

In-house lawyers struggle with is managing joint representation in IP lawsuits. For example, when a patent plaintiff sues 5-10 companies, how do those 5-10 companies jointly retain one counsel for the defense? The cost savings are obvious but how do you choose counsel? How do you make decisions as a group? How should costs be apportioned? When does it make sense to have your own separate counsel?

Every defendant in a multi-party patent infringement suit knows it makes sense to have joint counsel but too many times, a defense consortium falls apart for various reasons.

MODERATOR:

James G. Gilliland, *Partner and Chairman, Townsend and Townsend and Crew LLP*

PANELISTS:

Steven O. Gasser, Esq., *General Counsel, Zappos.com, Inc.*
Christine Amatruda, Esq., *Vice President, Associate General Counsel, Williams-Sonoma, Inc.*

10:00am-11:30am
Panel Two

*When Should In House Counsel Send the Work
Outside; Choosing Outside Counsel; Beauty Contest
or Extreme Makeover?*

Within the annual budget constraints challenging In House Counsel the hardest decision to make is, "When do I send this out?" How do the top companies staff for IP? This cross functional group of In House; Patent, Trademark, Copyright, Litigation and Licensing counsel discuss their threshold triggers for sending the work to a firm, or keeping it in house! How does finance control the decision making process? And, what metrics are used to evaluate the success of the final decision? Most In House Counsel have faced the daunting task of locating and hiring outside talent to handle a specific case or body of work. Sometimes during these 'beauty contests' the selected firm's final work product, like the contestants don't hold up under the hot lights of competition. What the most effective ways to find the winner? What techniques will provide a fair, objective evaluation of equally talented firm attorneys. Talk from the trenches explore the relationship between what's promised, what's expected and what are the final acceptable results in holding competitions between multiple firms competing for In House Work.

MODERATOR:

Walter Stevens, Ph.D., Esq., *Premier IP Protection, LLC*

PANELISTS:

Linda Gore Louie, Esq., *Vice President & General Counsel, National Hot Rod Association*
Michael C. Schiffer, *Vice President, General Counsel Beckman Coulter, Inc.*
Russell L. Boltwood, Esq., *Vice President, Licensing & Intellectual Property UTStarcom, Inc.*

11:30am-11:45am

Break

ONLINE REGISTRATION

11:45am-12:30pm
Panel Three

Licensing 101 for In-House Counsel

A panel discussion of In House Counsel from divergent industries (e.g., semiconductors or software, consumer products, entertainment, etc.) discussing their unique perspectives in licensing patents, trademarks, trade secrets and copyrights.

MODERATOR:

Kevin D. DeBre, Esq., *Stubbs, Alderton & Markiles, LLP*

PANELISTS:

Carol Hieb, Esq., *Manager, Export Licensing and Compliance, Northrup Grumann*

Robert L. Lattuga, Esq., *Assistant General Counsel, Leap Frog Enterprises, Inc.*

Joyce L. Morrison, Esq., *Vice President, Intellectual Property, Xencor, Inc.*

Nancy V. Stephens, Esq., *Co-Chair IP, Trademark Licensing, Foster Pepper PLLC*

12:30pm-1:45pm
Luncheon

Luncheon Speaker on Bias and Diversity

SPEAKER:

Edwin B. Reeser, III, *Managing Partner LA Office, Sonnenschein, Nath & Rosenthal, LLP*

Our luncheon speaker will provide education and enlightenment in the recognition, identification and prevention of bias in an in house legal setting, specifically as it relates to those who make their living in the in house practice of Intellectual Property Law. Amongst other topics, Mr. Reeser will discuss the inappropriate activities that occur to and among attorneys equally situated in an in house environment and its impact on their opportunities for advancement."

2:00pm-3:00pm
Panel Four

Ethics Lessons for the In-House IP Attorney in View of the Decisions in Qualcomm v. Broadcom, Medtronic v. Brainlab, and Other Cases

In a patent suit earlier this year between Qualcomm and Broadcom, in house attorneys and outside counsel failed to produce evidence until four months after the trial. The result: Qualcomm was ordered to pay all of Broadcom's litigation fees – about \$10 million, and several attorneys face Bar sanctions. In a major document production case, it is almost a certainty that some documents not called for will be produced, and some documents that have been requested will be inadvertently overlooked. Qualcomm underscores the necessity of attorneys carefully fulfilling their obligations to collect, review, process and produce information during litigation. In Medtronics v. Brainlab, counsel was found to have misled the jury, and the court awarded sanctions against both Medtronics and its counsel in the form of Brainlab's litigation fees. What impact do these cases, and other cases, have on your work as In House Counsel on a daily basis and in the event of litigation?

SPEAKERS:

JoAnna Esty, Esq., *Partner, Venable, LLP*

Janene Bassett, Esq., *Fox Group Legal*

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The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

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Fax to program registrations at 415.538.2368. Visa/MasterCard ONLY.
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On-site registration opens at 8:00am and is subject to space availability.

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Cancellations and request for refunds must be received in writing *no later than Wednesday, May 14, 2008*. Substitute registrants are allowed, but must register in their own name.

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Audio Tapes

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